

Message Text

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46

ACTION EB-11

INFO OCT-01 EUR-25 ADP-00 CAB-09 CIAE-00 COME-00 DODE-00

INR-10 NSAE-00 RSC-01 FAA-00 L-03 RSR-01 /061 W

----- 044298

R 251552 Z JUN 73

FM AMEMBASSY BERN

TO SECSTATE WASHDC 7904

UNCLAS BERN 2615

E. O. 11652: N/ A

TAGS: ETRN, SZ

SUBJ: CIVAIR - SEABOARD CARGO RATES

REF: BERN 2548

FOLLOWING ARE SUBSTANTIVE PORTIONS OF JUNE 22 LETTER TO EMBASSY
FROM SWISS AIR OFFICE REGARDING SEABOARD' S HIGH WEIGHT- BREAK
TARIFF FILING:

QUOTE

OUR DECISION ON THE SEABOARD' S REQUEST FOR RECONSIDERATION HAS
BEEN DEFERRED AGAIN FOR THE FOLLOWING REASONS:

A. IATA WAS NOT IN A POSITION TO FINALISE DISCUSSIONS ON THE
SUBJECT (HIGH WEIGHT BREAK RATES) AND WILL REOPEN THEIR MEETING
ON THE 15 TH JULY, 1973 IN ORDER TO FIND A SOLUTION ACCEPTABLE
BY ALL AIRLINES CONCERNED.

B. WE HAVE BEEN TOLD THAT TALKS ON THE SAID RATES BETWEEN THE
U. K. AND U. S. A. AUTHORITIES WILL START ON 3 RD JULY, 1973.

QUOTE

WE THINK IT THEREFORE APPROPRIATE TO DECIDE ON THE SEABOARD' S
REQUEST WHEN THE RESULT OF THE IATA MEETING AND THE BILATERAL
UK- USA NEGOTIATIONS WILL BE KNOWN. OUR DECISION CAN THEREFORE
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BE EXPECTED BETWEEN THE 15 TH AND 31 ST JULY, 1973.

QUOTE

FURTHERMORE, IT MUST BE KEPT IN MIND THAT ARTICLE 48 OF THE
" BUNDESGESETZ UEBER DAS VERWALTUNGSVERFAHREN" WILL APPLY IN CASE
OF ANY DECISION TO BE TAKEN BY THIS OFFICE. BASED ON THIS ARTICLE
ANY PERSON DIRECTLY CONCERNED (FOR EXAMPLE SWISSAIR) OF SUCH A
DECISION IS ENTITLED TO PRESENT A NOTICE OF APPEAL AGAINST IT
WITHIN A PERIOD OF 30 DAYS. AS SWISSAIR IS NOT COMPLETELY IN
AGREEMENT WITH THE RATES PROPOSED BY SEABOARD, IT MIGHT BE THAT
A NOTICE OF APPEAL WOULD BE PRESENTED AND CONSEQUENTLY THE NEW
RATES WOULD REMAIN SUSPENDED UNTIL THE CASE WOULD HAVE BEEN
DECIDED BY THE COMPETENT AUTHORITIES. THE PERIOD OF 30 DAYS WOULD
THEREFORE IN ANY CASE ELAPSE BEFORE THE RATES WOULD BECOME
EFFECTIVE. END QUOTE.

DAVIS

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NNNNMAFVVZCZ

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